

**PRIVATE SECTOR
VOCATIONAL TECHNICAL STATEHOLDER GROUP**

07/16/2006, Tukwilla WA
Minutes

VOCATIONAL REHABILITATION PROVIDERS

Attendees

Sheryl Cousineau, Sheryl's Rehab Service
Cathy Cottingham, People Systems, Inc.
Fred Cutler, Cutler Consulting
Patti Kacz, Intracorp
Todd Gendreau, Strategic Consulting
Brad Reckord, Rainier Case Management
April Poier, Grant and Associates
Bradley Ehrlich, Career Opportunity Group
Jenipher Gaffney, Gaffney Counseling
Nancy Ziegler, Broadspire

Absent

Corey Turner, Vocational Connections
Peggy Blocher, IAM Crest

DEPARTMENT OF LABOR AND INDUSTRIES

Attendees

Rheo Aieta
Rich Wilson
Don Lane
Donna Spencer
Keith Klinger
Janice Orcutt
Terry Thomas

Audience Members

Kari D'Aboy, Career Horizon
Gary Peterson, Gary Peterson, CRC
Darisa Greene, Nelco
Barbara Berndt, I.R.C., Industrial Rehab Consultants
Coreen Urruita, People Systems
Katie Bennett, Grant & Associates
Julie Grant, Grant & Associates
Gina Jaeger, Magnitude Consulting
Cherie Litt, Veracity Vocational Consulting
Gail Vogel, Gail Vogel Consulting

Welcome & Review Minutes & Announcements – Rheo Aieta

The minutes from the May 22 2006 VTSG meeting were reviewed and approved. It was announced that Peggy Blocher and Cory Turner were the newest at large members of VTSG.

Rheo announced the following 2nd Quarter 2006 VDRO Data:

No Applicable Findings	179	67.3%
Transferable skills analysis	4	1.5%
Job analysis	2	.8%
Labor market survey	22	8.3%
Medical analysis	20	7.5%
Likely to benefit analysis	3	1.1%
Other	4	1.5%
Combination	32	12.0%
Total	266	100.0%

Rheo added that after an initial decline to only 16.8% of all disputes having a finding of incomplete or poor VRC work, the pendulum had returned to its original higher level. It was surmised that perhaps the “sentinel effect” from previously informing VRCs that VDRO was collecting such data had diminishing returns.

In response to several questions concerning the use of VDRO data, the following reminders or clarifications were provided:

- The data is expected to be used as another risk analysis tool for PSRS to determine audit selection.
- Current risk analysis factors for audits include, but are not limited to, referral volumes and billing profiles. Complaints can be expanded to full audits if they appear to be reflective of a pattern, rather than an isolated incident.
- Beginning in January 2006, the data is tracked according to VRC ID #s.
- The first report of VDRO data by VRC ID # is still pending
- Other uses of the VDRO data, if any, have yet to be determined

Vocational Performance Measurement – Rich Wilson, Janice Orcutt

Rich discussed the Thurston County Superior Court ruling given July 11, 2006 by Judge Hicks on the CACO lawsuit. Rich summarized the ruling and said it was unlikely the Dept will appeal. He also presented the following communication that had been shared with all department staff as an immediate follow-up to the court ruling.

Impacts of a recent court ruling on CACO

On July 11, 2006, Thurston County Superior Court entered a ruling restricting L&I's use of its current performance measurement formula for vocational counselors. The ruling also requires L&I to begin working to replace the CACO formula, as the Complexity-Adjusted Cost Outcome measure is commonly known.

What is L&I doing to abide by the ruling?

L&I is immediately changing the work of claim managers and others who make vocational referrals, as described below. In addition, L&I will be working on ways to better assess the quality and effectiveness of vocational services.

How has L&I changed its approach?

- L&I has eliminated the distinction between eligible and conditional vocational providers for purposes of vocational referrals.
- L&I has made this change on your computer screens (LINIIS) and on the [Vocational Providers Performance Report](#) on the web.

What has changed?

- You must consider all vocational providers who display on the LINIIS referral screens, as eligible for referrals.
- You will no longer be required to identify an “exception reason” when choosing a provider to work with an injured worker.

What has not changed?

- L&I will continue to publish CACO scores.
- Your LINIIS computer screens will display only those providers with a credential or a CACO score.
- Vocational providers will continue to be displayed on both LINIIS screens and the Vocational Provider Performance Report on the web in ascending order of their CACO score.
- When choosing a vocational provider to work with injured workers, you should consider whether the vocational provider delivers quality and effective services. You may consider the CACO score, the number and type of referrals completed, and the frequencies of various outcomes as found on the Vocational Provider Performance Report.

If you have questions about this information, please contact Janice Orcutt at 902-4854 or orcj235@lni.wa.gov.

Cathy Cottingham stated that rank ordering counselors by CACO score is still harmful to VRC's. She requested rank ordering based upon RTW & ATW scores since this reflects current administration goals. She requested all information from the judge's decision be placed on the website for everyone both internal & external.

April Poier suggested L&I remove the CACO from the website because that data can still be very harmful. She suggested removing it while assessing the court ruling, with the understanding that it could be changed later.

Rich acknowledged these concerns and said that the department believes that the departments' initial response to the court ruling is appropriate. He stated that the Department remains committed to improve the process of monitoring quality and effectiveness of referrals, and working with stakeholders to develop a viable system to do so. The performance measurement responsibility will transition from Health Services Analysis to the RTW Services Program in October 2006.

Vocational Rehabilitation Improvement Initiative Update – Rich Wilson,

L&I began the Vocational Rehabilitation Improvement Initiative in November 2005. The ongoing focus is on improving positive outcomes for workers who receive vocational services. This is being addressed through workgroups whose focus is the following:

- Claim manager education and Accountability
- Vocational provider education and Accountability
- Early Return-to Work Program improvements
- Legislation and Prototype ideas

Discussion points for the CM and Voc Accountability Groups included:

Decisions made to:

- Display open referral numbers by VRC on LINIIS - implementation 9-1-06
- Limit number of service locations VRCs can list availability in – begin application process 9-1-06
- Identify all VRCs and interns who provide services on a vocational referral – implementation 8-1-06
- Re-design curriculum for claims training on vocational issues to focus on knowledge-based decision making on vocational issues
- Include vocational results data on individual CM accountability reports
- Develop exception reports that will target claims with no voc action by CM
- Provide training for CMs and supervisor on use of the new tools

Early RTW Program Improvements:

- Consistent performance expectations established statewide will increase the number of workers who RTW
- New documentations standards will result in better information on claim file

Legislation and Prototypes:

Rich & Keith are working with Thurston County WorkSource (WS) to develop a partnership between the One-Stop Center (includes Employment Security, DVR, Community Colleges, and other programs, including Dislocated Workers) and L&I. This is a pilot project and expected to last one year.

An L&I VSC will coordinate the intake process and identify and refer WS services appropriate for the worker. It is expected that workers in this pilot will not have had prior voc services and are unable to return to work with the employer of injury. The expected results are: the worker will be educated and develop awareness of RTW expectations; have the benefit of earlier exposure to jobs and job finding skills training; there will be earlier recorded documentation of work & educational history; and there will be better and timelier decisions about claims that require vocational referral. The proposed implementation for this WorkSource Partnership is October 2006.

Spring 2006 Vocational Conference debrief – Keith Klinger

Keith reported over 200 participants at the spring conference. 137 attendees filled out evaluation forms. The evaluation was positive: 94% said the conference was good to excellent and 6% said fair to poor.

Potential topics for the next conference identified by participants are:

- IME
- Pension adjudicators
- English as a Second Language
- WA Laws against Discrimination
- Work Source & LMS
- More on ethics, consider ½ day presentation
- Self-insured Issues
- L&I Director presentation
- Panel on claims –VDRO – BIIA

Topics the department is also considering include:

- Chemically Related Illness
- School programs
- Time Management & Priority Setting
- Working with ex-offenders
- Dependable Strengths: A counseling method to identify positive attributes for employment success. The approach could provide tools to enable plan development. Information can be found at www.dependablestrengths.org

The Fall Conference is scheduled for December 8th. Notify Keith if you have any comments or training topic possibilities for the Fall Conference at (360) 902-6362 or klin235@lni.wa.gov

Activity Prescription Form – Discussion of Physical Demands Key (PDF) – Donna Spencer

Donna said that the Activity Prescription Form Pilot began as scheduled on July 1 with surgical providers and COHE primary care doctors. Donna passed out an information sheet

on the project which included the names of contact people since HSA is looking for feedback on the forms. Providers can find out which doctors are in the pilot by checking the COHE website: <http://www.lni.wa.gov/ClaimsIns/Providers/Research/OrthoNeuro/default.asp>.

Donna also said that some vocational providers were concerned about the physical demand key on the APF. She gave a presentation on different keys before asking for feedback on the topic from the committee. Here is a list of comments from VTSG:

- Use charts that combine strength and frequency.
- Use the key from The Handbook for Analyzing Jobs.
- Don't use "seldom."

- A key should be included on all documents for the doctor.
- “Seldom” and “rare” do not exist in occupational key standards.
- For the AWA: whatever key is used on the JA for the occupational goal should be the same one used for the LMS.
- Have a consistent key on all forms.
- The keys on the 2 APFs are different. Why?
- Frequency matters.
- Skill-Tran has a pamphlet with a helpful visual.
- A provider worked a case that had an APF in the file, but it was not useful because the form was not entirely completed.
- Does the APF fax well? Or is there so much information that the print will become too small to read when faxed?
- Don’t give the doctor any additional ideas for work restrictions on the APF (i.e. leave “Other” blank).
- The surgical APF has the best Material Handling key.

(Note: These comments have been shared with the people responsible for the APF pilot.)

VTSG led item – Bradley Ehrlich

Three agenda items went longer than scheduled. Bradley offered to defer his presentation until the September VTSG meeting. VTSG members also recommended more time for audience comments due to a higher than usual number of guests in attendance

Audience Comments

Katy Bennett requested that future meetings be managed so that there is more time for audience participation with each agenda item. VTSG member Jenny Gaffney recommended that 30 minutes be set aside for the next meeting for audience comments. She indicated that if opportunities for audience comments were expanded, it would encourage more VRCs to attend more meetings.

Julie Grant stated the recent performance measure court order made it clear the department did not do a good job stakeholdering with technical advisors and that the VRC community was passive. She added that she would like “co-ownership” with the department and indicated that VTSG should “rethink” how it conducts business. VTSG member Cathy Cottingham recommended that VTSG implement the use of “Robert’s Rules of Order”. VTSG member Jenny Gaffney supported Cathy’s suggestion and added that minutes would then better reflect action items.

Gary Peterson asked for current statistics regarding the turnover of claim managers. He stated that prior statistics indicated a 40% turnover. Rich Wilson replied that he was not aware of the current figures.

Cherie Litt stated that keeping CACO scores in ranking order still inhibits referrals from CM’s. She asked if the CACO scores could be entirely removed and the department use VDRO referral data, usable outcomes, and other measurement tools until performance measure enhancements are completed

Gina Jaeger stated there are too many variables in CACO and that CACO doesn't measure useable outcomes. She added that CACO even without SEM scores does not provide a clear representation of VRC's who take more time and have more usable outcomes.

Todd Gendreau stated claim managers need tools other than CACO scores to judge who does well. He asked if the Department could list VRC's alphabetically rather than ranking by order of CACO scores. The claim managers could then just enter first letter of last name to find a provider for making a referral. VTSG member Bradley Ehrlich supported this suggestion.

Kari D'Aboy offered appreciation of the commitment expressed by Rich Wilson and Janice Orcutt earlier in the meeting for improving the Performance Measurement and asked if there was a process or timeline already in place. She also asked when the timeline will be out for decisions on ranking. Janice replied that it was early to comment and that the Department is committed to working with the vocational community. She added that the performance measurement would become a standing VTSG agenda item.

Barbara Berndt reported she was in the process of obtaining CRC consultation regarding the VRC ethics of helping claimants return to work without having the legal documentation. She indicated that finding a person employable without legal documentation was not as strong an outcome for CACO measurement as Return to Work.

Gary Peterson suggested meeting minutes be emailed to committee members rather than wait to the beginning of the next VTSG meeting for review and corrections. VTSG member Jenny Gaffney supported the request for getting minutes submitted to the web and shareholders sooner

Meeting adjourned

The next VTSG meeting will be in Tumwater, September 18th, 2006